

influence, but exercise it freely and voluntarily, as his judgment dictates, and not as military orders regulate, not as the influence of his commanding or superior officer may require him to vote. He should vote freely. What would be the position of a Maryland soldier in the army of the United States in the case of a presidential election. He is under martial law, and obliged to perform the duties which his superior officer imposes upon him; and if there is any truth in the reports that we have heard from those elections which have taken place in the army, under the laws of other States allowing them to vote, it is the merest farce in the world. The soldier merely expresses the opinion which his commanding officer may say that he shall express.

Mr. CUSHING (interposing.) Will the gentleman please to state some of these reports? I have never heard of them.

Mr. MILLER. I have seen it published time and again that the process of voting was somewhat in this way. A company was drawn up, and the commanding officer stating that they were entitled to vote, the proposition was placed before them, or threats were held out to them that if they did not vote in a certain way they would be placed in the front rank in the next battle.

Mr. CUSHING. Were those things stated in loyal or disloyal papers?

Mr. MILLER. Whether in loyal or disloyal papers I cannot say; but they have been reported in the newspapers all over the country. I say that is an objection *prima facie* to allowing soldiers to vote under any circumstances, that they are subjected to martial law.

That was the way in which the present Emperor of France obtained his power. The soldiers of the French army voting before the people and citizens of France, voted unanimously in his favor; and the French people knew that if they voted differently that army would trample on their liberties and their rights.

I protest against it in the name of the liberty which we have enjoyed from the time of our revolution down to the present day. I put it on the broad high ground that the man who votes should be a civilian, and not subject to martial law; that he may exercise the right of voting freely, fairly, untrammelled by these restraints which are thrown around him by martial law. I cite the precedent of our revolutionary fathers, even of that time. It is a very serious question. I care not what other States may have done. I know the remarks which I am making now will have no influence upon this convention. I know that the thing will be done. But if hereafter we shall find that our liberties have been subverted and that an army is to rule in this country instead of civil law of the people, it shall not be done by my vote.

I fear the result when looking to the past history of the world; to the history of other

nations. We must remember that ours is the last great republic on earth. The poet of another clime, in another age, sang in glowing strains of the great land of liberty which to him reared its head, yet unconquered and sublime, beyond the far Atlantic. Yet he told them that tyranny of late had cunning grown, and in its own good time would trample out the last sparks of the fire of liberty that yet lingered and flickered in a few favored spots of the old world. Those predictions have been verified. Hungary, Poland, France, to-day attest the sad fulfilment of this mournful prophecy. It is given to us, and to us alone to preserve republican institutions and republican liberty; and if that hope is crushed out here, it dies upon earth. Into our keeping is committed the priceless heritage of constitutional liberty. It becomes us to guard it well, to preserve it as we have received it, untarnished, and so transmit it to those who come after us.

I protest against this thing, not because I wish to deprive the citizen soldier when in the service of his country of any right which I think he ought to enjoy, or of any right which if I should become such soldier I should wish to enjoy; but I speak against it, and protest against it on the great principles of constitutional liberty in this land.

Mr. PUGH. The greatest objection I have to the remarks of the gentleman is the view that he suggested at the commencement and again at the close of his remarks, that when he becomes a soldier he wishes it to be understood that he lays aside certain civil rights; that whenever that time shall arrive, for I suppose there is no prospect of his becoming a soldier now, when he sees fit to become a soldier, he wishes by that very act to lay aside all civil rights. I wish to enter my protest against any such idea, in this country especially.

I believe the American citizen, when he becomes a soldier, is only to all intents and purposes the American citizen more nobly developed. I believe that he retains every right that he had before he became a soldier, that he is to all intents and purposes endowed with every civil right he ever enjoyed. But in this respect, that he sets himself out in the ranks as a breastwork against the enemies of his country, he is a more fully developed American citizen; and that development is the most noble one to which he can aspire.

This old European idea in this nation, for it is scarcely worthy of the name of an idea, that because a man becomes a soldier he is for that reason a mere hireling butcher, will never prevail in this country. There may have been something of it in European nations, when men were hired for the mere purpose of butchery; but we know no such idea in this country. Every citizen in America is just as much a citizen after he becomes a soldier as he was before. When he becomes a